



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named

Inventor : Steven K. Case

Batch No: 4271

Appln. No.: 09/920,366

Allowed: 02/25/2005

Filed : August 1, 2001

Group Art Unit: 2871

For : OPTICAL DEVICE

Examiner:

Docket No.: C34.12-0078

R. Kim

CERTIFICATE OF MAILING

Mail Stop Issue Fee

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Charge Authorization Form PTO 2038 in the amount of \$1000.00 as payment of the Issue Fee in the above-identified application, along with the Issue Fee Transmittal.

In the event the attached Charge Authorization is unacceptable, or is omitted, or if there are any additional fees associated with this application, please charge the required fee or credit any overpayment to Deposit Account No. 23-1123.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 9, 2005.

Respectfully submitted,

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By: 

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**STATEMENT CLAIMING
SMALL ENTITY STATUS
(SMALL BUSINESS CONCERN)**

Attorney Docket No.

A48.12-0014

First Named
Inventor : Steven K. Case et al.

Title : OPTICAL DEVICE

With respect to the invention described in

X the application filed herewith:

Application No. _____, filed _____:

Patent No. _____, issued _____ :

I. IDENTIFICATION OF DECLARANT AND ANY RIGHTS AS A SMALL ENTITY

I am:

___ the owner of the small business concern identified below:

X an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Avanti Optics Corporation

ADDRESS OF CONCERN 13755 First Avenue North, Suite 500
Minneapolis, Minnesota 55441

The above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.12, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under 35 U.S.C. §§ 41(a) and (b).

II. OWNERSHIP OF INVENTION BY DECLARANT

Rights under contract or law remain with or have been conveyed to the above-identified concern. If the rights held are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person who could not be classified as (1) an independent inventor under 37 C.F.R. § 1.9(c) if that person had made the invention, (2) a small business concern under 37 C.F.R. § 1.9(d) or (3) a non-profit organization under 37 C.F.R. § 1.9(e).

X There is no such person, concern, or organization.

____ The person, concerns or organizations are listed below:

FULL NAME _____

ADDRESS _____

- ```
[] Individual
[] Small Business Concern
.[] Non-Profit Organization
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### III. ACKNOWLEDGEMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE

I acknowledge the duty to file, in this application or patent, notification of any change resulting in loss of entitlement to small entity status pursuant to 37 C.F.R. § 1.28(b).

IV. SIGNATURES

SIGNATURE Timothy A. Skunes

Date: 31 July 2001

NAME OF PERSON SIGNING Timothy A. Skunes

TITLE OF PERSON Vice President Systems Development

ADDRESS OF PERSON SIGNING 13755 First Avenue North, Suite 500, Minneapolis, Minnesota 55441